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AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Quality People. Quality Projects.



Submitted electronically at: green@bls.gov

April 30, 2010

Mr. Richard Clayton
Office of Industry Employment Statistics
Bureau of Labor Statistics
2 Massachusetts Ave. NE
Room 4840
Washington, DC 20212

Re: Solicitation of comments on measuring green jobs

Dear Mr. Clayton:

The Associated General Contractors of America (AGC) is pleased to provide the following comments on the U.S. Bureau of Labor Statistics' proposed definition and measurement of green jobs.

AGC is the nation's largest and most diverse trade association in the commercial construction industry. AGC's 32,000 members include 7,000 general construction contractors, 12,000 specialty contractors, and 13,000 suppliers and service providers, in a nationwide network of 95 chapters. AGC represents both union and open shop contractors in the building, highway, heavy industrial, and municipal utility sectors of the construction industry.

The AGC is a membership organization dedicated to furthering the ever-changing agenda of commercial construction contractors, improving job site safety, expanding the use of cutting-edge technologies and techniques, and strengthening the dialogue between contractors and owners.

Construction is the delivery system for a cleaner, healthier and safer environment. AGC recognizes that just as important as providing the needed infrastructure improvements, is the way in which these improvements are made. The industry has a long history of developing construction techniques and practices that enhance our environment and AGC and its member firms continue to develop environmentally responsible construction methods.

AGC members nationwide have embraced environmentally responsible practices — from instituting corporate recycling policies to using solar photovoltaic panels to generate power at job site trailers; from partnering with community organizations to donate leftover construction materials to capturing and recycling water used to wash equipment — the list is as varied as the 32,000 firms that make up the AGC membership.



AGC of America's environmental services provide construction contractors with a plethora of information on green construction, as well as compliance-assistance tools. A few examples of these services:

- The full-day *Building to LEED® for New Construction* instructor-led course helps contractors understand their roles on a green project and provides an overview of the popular Leadership in Energy and Environmental Design (LEED) green building rating system. Nearly 1,000 construction professionals have been trained since the program's 2008 launch.
- The *Contractor's Guide to Green Building Construction* book helps contractors meet and manage green goals through all phases of a project. AGC's bookstore offers additional publications on how project team members' roles are affected by green practices.
- AGC of America and its chapters have partnered with both the U.S. Green Building Council (developers of LEED) and the Green Building Initiative (administrators of Green Globes) to offer training to our members.
- AGC of America consistently incorporates green programming into its many industry events throughout the year. For example, the 2009 Training and Development Conference included a session on "Facilitating Green Construction Education" and the 2010 AGC Annual Convention offered five green educational sessions in the Environmental, Green and Safety Solutions track.
- Our members and chapters benefit from an extensive cache of online resources, including articles, fact sheets, and webinars all geared toward contractors working in a green economy.
- Our craft training partner, the National Center for Construction Education and Research, has added a module to its core curriculum called "Your Role in the Green Environment" that helps entry-level craft workers learn more about green building. The module is currently being used by construction industry-sponsored training programs, community colleges, and JobCorps, YouthBuild and high school programs around the nation.
- For AGC members whose craftworkers are unionized, the joint labor-management training programs, including those offered through the International Brotherhood of Carpenters and Joiners, and the Laborers International Union of North America, among others, have embraced green training.
- For more than a decade, AGC has partnered with the U.S. Environmental Protection Agency (EPA) to provide tools specific to contractors to help them comply with environmental laws and goals, and, moving beyond compliance, to embrace environmental stewardship practices. Through this collaboration, AGC members have received guidance on topics from developing and implementing an environmental management system, to reducing emissions from diesel equipment, and recycling waste and industrial materials in construction applications, among many other topics.



Following are AGC of America's specific concerns about the BLS proposal to define and collect information on green jobs.

1. BLS is overreaching its mission

Despite the construction industry's commitment to work green, AGC is concerned with the current efforts by the Bureau of Labor Statistics to "develop and implement the collection of new data on green jobs." First, we question whether this effort truly fits with the Bureau's stated mission as the principal fact-finding agency for the federal government in the field of labor economics and statistics that "adheres to principles of objectivity and impartiality, timeliness, relevance, and transparency."

We see the current efforts to collect information on "green jobs" as pandering to those interests that would use such data in efforts to further discrete political agendas that have nothing to do with counting employment or cleaning the environment. We also are not sure why the BLS, which seems to have discontinued its use of the terms "white-collar workers" and "blue-collar workers" over the last decade — with the last reference to each found in a BLS press release from July 2004 — would be willing to make an exception to its collection habits for "green jobs."

We also are unsure as to why BLS would make an exception for its current policy of collecting information based on the occupations as defined in the North American Industry Classification System (NAICS) 2007 codes when numerous studies and reports have documented the lack of differentiation between a "traditional" occupation and a "green" occupation.

The U.S. Office of Management and Budget (OMB), in its recent update of the Standard Occupational Classification (SOC) system, "analyzed over 80 unique suggestions regarding 'green' occupations," rejecting all but two — wind turbine service technician and solar photovoltaic installer. In explaining its final decision in the January 21, 2009, Federal Register, OMB noted: "In many cases, the work performed in the 'green' job was identical or similar to work performed in existing SOC occupations."

In a February 2009 report, "Greening the World of Work: Implications for O*NET-SOC and New and Emerging Occupations," the U.S. Department of Labor's Employment and Training Administration noted: "The rush to jump on the 'green' bandwagon has outpaced the development of a concept of what it actually means to be green."

The ETA quoted a Texas Workforce Commission report: "Conferring the green label to entire constellations of occupations to discrete tasks and work assignments does not necessarily imbue those with specific skill requirements that must be addressed with new education and training intervention. The skills needed to perform some green work assignments will be absolutely no different than those required to perform tasks and work assignments similar, if not identical, to their non-green predecessor."



We think there are many workers and small companies working hard today to create a cleaner, healthier and safer environment who aren't even aware that they are a key component of greening the nation, because they are doing the same jobs they always have. For instance, the workers paving the access roads, pouring the concrete foundations, and operating cranes to erect power-generating windmills all have "green" jobs and yet the tasks they perform would be no different if they were paving a highway, pouring a bridge pier, or erecting a skyscraper.

As additional proof that workers may not know they are working green, we would like to offer the hundreds of skilled craftworkers who built the U.S. Pension Bureau building in the 1880s. U.S. Army Quartermaster General Montgomery Meigs, who served as architect and engineer for what is now the National Building Museum, included among the building's many advanced attributes are a central great hall with skylights that allows daylight to penetrate all areas of the building and a ventilation system that pulls fresh air into the building via windows that open in the summer and an ingenious system of vents in the winter.

It would not be incorrect to say that the Pension Bureau/National Building Museum is one of the nation's largest and earliest "green" buildings, yet certainly neither Gen. Meigs, nor his workers, nor the government that commissioned the building ever used the term "green" to describe the project or the workers' efforts.

2. The collected data will be flawed

AGC also is concerned that the federal collection of data based on an inaccurate and incomplete understanding of the construction industry will yield correspondingly inaccurate and incomplete results.

AGC examined all those NAICS 2007 codes pertaining to construction. While we were pleased to see that most construction-related activities were listed as "included" in one of the seven BLS-identified categories of green economic activities and one of the four definition elements, we found glaring errors in several categories. We list the categories and include our reasons for our request that all the NAICS codes listed below be included in any final green jobs definition:

- 237310 "Highway, street, and bridge construction" is entirely excluded from the green jobs list. We would like to point out that three materials used in this category — steel, concrete and asphalt — are rated among the most-recycled materials in the nation. Each year approximately 139 million tons of asphalt, 140 million tons of concrete, and 40 million tons of steel are recycled. According to the EPA, at those amounts, some 77.2 million metric tons of CO₂ emissions are avoided annually. Also, roads and bridges that are capacity-appropriate and maintained properly are responsible for reducing congestion, one of the leading causes of greenhouse gas (GHG) emissions. In 2004, a study of the nation's most severely congested highways noted that significant reductions in emissions require a reduction in *vehicle time* traveled, *not vehicle miles* traveled. The study concluded that modest improvements to traffic flow at 233 bottlenecks would reduce carbon dioxide emissions by as much as 77 percent and conserve more than 40 billion gallons of fuel over a 20-year period.



- 423810 “Construction equipment merchant wholesalers” is excluded but 423110 “Motor vehicle merchant wholesalers” is included for hybrid vehicles. Equipment manufacturers Caterpillar, Volvo, Komatsu, LeTourneau, among others, all have begun manufacturing hybrid construction equipment — including wheel loaders, excavators and material-handling vehicles — all of which lessen the equipments’ environmental impact.
- 532412 “Other heavy machinery rental and leasing” is excluded but 532411 “Transportation equipment rental and leasing” is included for “rental of equipment for transportation of specialized green goods, mass transit.” As noted above, we believe that highway, street and bridge construction projects should be included in the definition of green jobs. We would note that a great deal of heavy equipment — often rented — is necessary to build mass transit systems and windmill farms.
- 541340 “Drafting services” is excluded, but 541330 “Engineering services” and 541310 “Architectural services” are included for “engineering for renewable energy projects, LEED projects, energy efficient projects” and “LEED-specific architecture, energy efficient architecture,” respectively. Certainly LEED-specific and energy efficient projects call for drafting services.
- 611110 “Elementary and secondary schools” does not get included but all of the following: 611210 “Junior colleges,” 611310 “Colleges and universities,” 611430 “Management training,” 611513 “Apprenticeship training,” and 611519 “Other technical and trade schools” are included for “training/curriculum for green jobs.” We would make the case that many high school career and technical education programs are teaching green principles, as are a few forward-thinking elementary schools. Here are just a *few* examples:
 - Two high schools in the District of Columbia — Phelps Architecture, Construction and Engineering and Cardozo Senior High School’s Academy of Construction and Design — teach environmentally friendly construction techniques as part of the curriculum.
 - The Muskegon (Michigan) Area Career Tech Center has a construction program in which high school seniors build environmentally friendly houses.
 - The Green Energy Academy in Essex County, New Jersey, introduces high school freshmen to green career opportunities within the traditional building trades.
 - In Scappoose, Oregon, the Petersen Elementary School allows the students to observe and learn from green building systems in action. “If nothing else, we want to use this building as a teaching tool,” said Scott Rose, a principal with DLR Group, the building’s architect. “If they can look at an exposed cistern with color-coded pipe showing how the rainwater is being recycled into the bathrooms, they will make the connections.”
 - At Grasso Southeastern Technical High School in Groton, Massachusetts, students have installed an electricity-producing wind turbine and plan to install a photovoltaic panel to light the school’s greenhouse.

3. Green goods and services list needs continued updating

AGC also is disturbed by the limited number of examples of green goods and services being given for most NAICS codes that are included in the green list. As we have seen with other



government regulations and directives, some people interpret the “example” as being the *only* sanctioned product or service.

We would encourage regular research into the environmentally friendly techniques and equipment that are being introduced at a rapid rate in order to ensure that the NAICS categories and examples are kept up to date.

4. Determining employment via revenue share

As for the plan to quantify the amount of green jobs through the amount of revenue generated by a company’s green work, we would refer to Dixie Sommers, assistant BLS commissioner for occupational statistics, who told the BNA’s *Construction Labor Report* last year that the difficulty in counting green workers is how to count workers who perform the same tasks from one month to the next but may produce a green product one month and a different product the next. For example, a carpenter one month may work on a new building being constructed to high energy efficiency standards, but the next month, the same carpenter may be working on a traditional building.

Since employment in construction tends to be seasonal, particularly among certain occupations and certain geographic areas, the number of workers employed by a given company shifts during the course of a year. How does that shift get calculated if the BLS uses revenue share as a proxy for the share of the establishment’s employment associated with green goods and services? And how will revenue share be divided into jobs when the salaries of staff members vary greatly in a single establishment?

Also, if all employment at an establishment is counted toward the green job total, “including production, management, administrative staff,” as noted in the BLS proposal, why are these NAICS codes not listed as potentially green?

5. Conclusion

We would urge the BLS to reconsider its stated mission and goals in light of our comments. Since AGC of America does not believe that the questions asked above can be answered satisfactorily, it is our determination that the “green jobs” label is an artificial construct that is being imposed subjectively, used politically and will, in the end, be about as successful as trying to collect fog in a cardboard box.

Sincerely,

Liz Elvin
Senior Director of Workforce Development
Associated General Contractors of America